



Entered on Docket  
November 03, 2011

A handwritten signature in black ink, appearing to read "R. B."

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR  
Chapter 11

**Order Sustaining Third Omnibus  
Objection Of USACM Trust To Proofs Of  
Claim Based In Part Upon Investment In  
The Ocean Atlantic (Second) Loan**

Hearing Date: October 18, 2011  
Hearing Time: 1:30 p.m.

The Court having considered the "Third Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Ocean Atlantic (Second) Loan ("Ocean Atlantic (Second) Loan") [DE 9105] (the "Objection"); the Court having heard the Objection on October 18, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct

1       lenders' right to repayment by the borrower or from the collateral securing the Ocean  
2       Atlantic (Second) Loan; and good cause appearing:

3           **IT IS ORDERED** that:

- 4           1.       The Objection [DE 9105] is sustained; and  
5           2.       The claims listed on **Exhibit A** attached are disallowed to the extent those  
6       claims are based upon an investment in the Ocean Atlantic (Second) Loan.

7

8       PREPARED AND RESPECTFULLY SUBMITTED BY:

9           **LEWIS AND ROCA LLP**

11       By /s/ John Hinderaker (AZ #018024)  
12           Robert M. Charles, Jr.  
13           John Hinderaker (*pro hac vice*)  
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18       *Attorneys for USACM Liquidating Trust*

## **LOCAL RULE 9021 CERTIFICATION**

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

**Counsel appearing:**

I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:  
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)  
Attorneys for USACM Liquidating Trust

# # #

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Ocean Atlantic Loan
10725-01997	1/10/2007	KM Trust	C/O Aimee E Kearns Trustee 5886 N Bonita Vista St Las Vegas, NV 89149-3911	1,535,080.92	100,000.00
10725-01293	11/10/2006	Lisa Hollifield Personal Rep Of J Naftzinger Estate	Lisa Hollifield Personal Representative of J Naftzinger Estate 9303 W. Osprey Meadow Drive Boise, ID 83714	Unknown	Unknown
10725-02433	1/12/2007	Michaelian Holdings LLC	413 Canyon Greens Dr Las Vegas, NV 89144-0829	1,267,075.50	100,000.00
10725-01783	12/13/2006	Miller Properties A NV Limited Partnership	Po Box 495 Zephyr Cove, NV 89448	345,000.00	50,000.00
10725-01998	1/10/2007	Murray Trust	C/O Aimee E Kearns Trustee 5886 N Bonita Vista St Las Vegas, NV 89149-3911	729,435.88	50,000.00
10725-01501	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou Jt WROS	14 Mikinon St Glyfada Athens 16675 Greece	30,000.00	Unknown
10725-01502	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou Jt WROS	14 Mikinon St Glyfada Athens 16675 Greece	50,000.00	Unknown
10725-01503	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou Jt WROS	14 Mikinon St Glyfada Athens 16675 Greece	50,000.00	Unknown
10725-01504	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou Jt WROS	14 Mikinon St Glyfada Athens 16675 Greece	50,000.00	Unknown
10725-01505	11/29/2006	Panagiotis Dovanidis & Dimitra Dovanidou Jt WROS	14 Mikinon St Glyfada Athens 16675 Greece	50,000.00	Unknown

## EXHIBIT A